

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CHIEF HENRY V. TOBIN III

Plaintiff,

V.

Civil Action No.: 04-1211-MPT

THOMAS P. GORDON, individually and in his official capacity; SHERRY FREEBERRY, individually and in her official capacity; COLONEL JOHN L. CUNNINGHAM, RETIRED, individually; COLONEL DAVID F. MCALLISTER, individually and in his official capacity; and NEW CASTLE COUNTY, a municipal corporation

Defendants.

## JOINTLY STIPULATED BRIEFING SCHEDULE

IT IS HEREBY STIPULATED by Plaintiff Henry Tobin III and Defendants

Thomas P. Gordon, Sherry Freebery, Colonel David F. McAllister, and New Castle County (collectively “Defendants”), and pursuant to the Scheduling Conference held by the Court on December 7, 2007, subject to the approval of the Court, that the briefing schedule for Defendants’ Motion to Dismiss and for Qualified Immunity, shall be as follows:

1. Defendants' Opening Brief shall be filed on or before Monday, January 7, 2008.
2. Plaintiff's Answering Brief shall be filed on or before Thursday, February 7, 2008.
3. A teleconference shall be held before the Court at 5 p.m. on Monday, February 11, 2008, to be initiated by Defendants. The parties will be asked to reevaluate the viability of their claims and allegations at that time.
4. Defendants' Reply Brief shall be filed, if at all, on or before Thursday, February 21, 2008.

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IT IS SO ORDERED this \_\_\_\_\_ day of December, 2007.

\_\_\_\_\_  
United States District Court Judge